

SECTION 9 RULES OF THE GOVERNOR'S REGULATORY REVIEW COUNCIL

TITLE 1. RULES AND THE RULEMAKING PROCESS

CHAPTER 6. GOVERNOR'S REGULATORY REVIEW COUNCIL

(Authority: A.R.S. § 41-1051)

ARTICLE 1. RULES OF PROCEDURE

- R1-6-101. Definitions
- R1-6-102. Meetings
- R1-6-103. Schedule and Filing Deadlines
- R1-6-104. Placing a Regular Rule on the Council Agenda
- R1-6-105. Submitting a Proposed Summary Rule
- R1-6-106. Placing a Final Summary Rule on the Council Agenda
- R1-6-107. Submitting Approved Rules
- R1-6-108. Filing Rules Approved by the Council
- R1-6-109. Returned Rules
- R1-6-110. Appearance by the Agency
- R1-6-111. Oral and Written Comments
- R1-6-112. 5-year-review Report
- R1-6-113. Rescheduling a 5-year-review Report

ARTICLE 2. DELEGATION AGREEMENTS

- R1-6-201. Appeal of a Delegation Agreement
- R1-6-202. Repealed
- R1-6-203. Repealed
- R1-6-204. Repealed
- R1-6-205. Repealed
- R1-6-206. Repealed

ARTICLE 3. AGENCY PRACTICE OR SUBSTANTIVE POLICY STATEMENTS

- R1-6-301. Petition for Council Rulemaking or Review
- R1-6-302. Appeal of an Existing Agency Practice or Substantive Policy Statement

ARTICLE 4. APPEALS OF ECONOMIC, SMALL BUSINESS, AND CONSUMER IMPACT STATEMENTS

- R1-6-401. Appeal of an Economic, Small Business, and Consumer Impact Statement

ARTICLE 1. RULES OF PROCEDURE

R1-6-101. Definitions

- A. The definitions in A.R.S. § 41-1001 apply to this Chapter.
- B. In this Chapter:
 - 1. "Agency head" means the chief officer of an agency or another person directly or indirectly purporting to act on behalf or under the authority of the agency head.

2. “Chair” means the chairperson of the Council.
3. “Open Meeting Law” means A.R.S. §§ 38-431 through 38-431.09.
4. “Regular rule” means a rule made according to A.R.S. §§ 41-1021 through 41-1025, 41-1028 through 41-1032, 41-1035, 41-1036, 41-1052, and 41-1055.

R1-6-102. Meetings

- A. The Chair, in consultation with the Council, shall set regular meeting dates of the Council for each calendar year by the preceding October 31 and shall post notice of each regular meeting according to the Open Meeting Law.
- B. The Council may schedule a special meeting to consider any matter it may consider at a regular meeting. The Council shall post notice of a special meeting according to the Open Meeting Law at least 48 hours before the special meeting.
- C. The Council may recess a regular or special meeting to a later date if, before recessing, the Chair gives notice of the date and time of the resumption of the meeting and posts a notice of resumption of the meeting according to the Open Meeting Law.

R1-6-103. Schedule and Filing Deadlines

The Council shall establish for each calendar year, by the preceding October 31, a schedule containing filing deadlines and meeting dates for Council review of:

1. Rules submitted to the Council including new, amended, repealed, or renumbered rules;
2. Rules resubmitted under R1-6-109(1); and
3. 5-year-review reports.

R1-6-104. Placing a Regular Rule on the Council Agenda

- A. To place a regular rule on the Council agenda, an agency shall deliver to the Council office 2 rule packages prepared in the manner required by this Chapter and the rules of the Secretary of State. The agency shall ensure that each rule package contains the following items assembled in the following order:
 1. Cover letter signed by the agency head specifying:
 - a. The close of the record date;
 - b. Whether definitions of terms contained in statutes or other rules and used in the adopted rule are attached;
 - c. Whether the rulemaking relates to a 5-year-review report and, if applicable, the date the report was approved by the Council;
 - d. Whether the rulemaking contains a new fee and, if applicable, citation of the statute expressly authorizing the new fee;
 - e. Whether the rulemaking contains a fee increase, and
 - f. A list of all items enclosed.
 2. Notice of Final Rulemaking, required by A.A.C. R1-1-602, including the preamble, table of contents for the rule, and text of the rule;
 3. Economic, small business, and consumer impact statement that contains the information required by A.R.S. § 41-1055;
 4. Concise explanatory statement that contains the information required by A.R.S. § 41-1036;
 5. Copy of the existing rule if the existing rule is not shown as part of the revised text of a rule the agency is amending;
 6. Copy of the general and specific statutes authorizing the rule; and
 7. Copy of definitions of terms, contained in statutes or other rules, used in the rule, if any.
- B. In addition to the items specified in subsection (A), an agency shall submit 1 copy of each of the following:

1. All written comments received by the agency concerning the proposed rule; and
 2. Materials incorporated by reference, if any.
- C.** After a rule is placed on the Council agenda, Council staff shall review the rule for compliance with the requirements of A.R.S. § 41-1052(C) and (D) and this Chapter and may suggest changes to the agency. After making any changes, the agency shall submit to the Council office enough copies of the rule-package items listed in subsections (A)(1) through (A)(7), assembled in the order specified in subsection (A), to make 1 complete original rule package and 10 complete copies.
- D.** After a rule is placed on the Council agenda, an agency may have the rule moved to the agenda of a later meeting by having the agency head send a notice to the Chair that includes the date of the later meeting.
- E.** If it is necessary for a rule to be heard at more than 1 Council meeting, the agency shall:
1. Contact the Council office to learn which rule package items, if any, the agency needs to resubmit for the later meeting; or
 2. Submit 1 original and 10 copies of the rule package described in subsection (A) for the later meeting.

R1-6-105. Submitting a Proposed Summary Rule

To submit a proposed summary rule, an agency shall deliver to the Council office 1 copy of the following items, assembled in the following order and prepared in the manner required by this Chapter and the rules of the Secretary of State:

1. Notice of Proposed Summary Rulemaking, including the preamble, table of contents for the proposed summary rule, and text of the proposed summary rule filed with the Office of the Secretary of State as required by A.R.S. § 41-1027(B); and
2. Statute that repeals or supersedes the authority under which the original rule was enacted or the statute that is repeated verbatim in the original rule or proposed summary rule.

R1-6-106. Placing a Final Summary Rule on the Council Agenda

- A.** To place a final summary rule on the Council agenda, an agency shall deliver to the Council office 1 original and 10 copies of a rule package, prepared in the manner required by this Chapter and the rules of the Secretary of State.
- B.** An agency shall ensure that the rule package contains the following items assembled in the following order:
1. Cover letter signed by the agency head specifying:
 - a. The close of the record date;
 - b. Whether the rulemaking relates to a 5-year-review report and, if applicable, the date the report was approved by the Council; and
 - c. A list of all items enclosed.
 2. Notice of Final Summary Rulemaking, required by A.A.C. R1-1-801, including the preamble, table of contents for the final summary rule, and text of the final summary rule;
 3. Economic, small business, and consumer impact statement that contains the information required by A.R.S. § 41-1055 or a statement that the rulemaking is exempt from this requirement under A.R.S. § 41-1055(D)(2);
 4. Concise explanatory statement that contains the information required by A.R.S. § 41-1036; and
 5. Copy of the general and specific statutes authorizing the rule.
- C.** In addition to the rule packages specified in subsection (B), an agency shall submit 1 copy of all written comments received by the agency concerning the proposed summary rule.

R1-6-107. Submitting Approved Rules

- A.** For each final regular or summary rule approved by the Council, an agency shall deliver to the Council office within 14 calendar days after Council approval, unless a later date is arranged under subsection (B), the following items, prepared in the manner required by this Chapter and the rules of the Secretary of State:
1. A letter identifying each change made at the direction of the Council. If no changes were directed, no letter is required;
 2. One original and 3 copies of the following items assembled in the following order:
 - a. Agency certificate, required by A.A.C. R1-1-105(B); and either
 - b. Items listed in R1-6-104(A)(2) through R1-6-104(A)(4) for a regular rule; or
 - c. Items listed in R1-6-106(B)(2) through R1-6-106(B)(4) for a summary rule;
 3. One original and 1 copy of the receipt required by A.A.C. R1-1-106.
- B.** If an agency is unable to deliver an approved regular or summary rule to the Council office within the time specified in subsection (A), the agency shall contact the Council office and arrange to submit the approved rule at a later date.

R1-6-108. Filing Rules Approved by the Council

- A.** If the Council approves an agency rule as submitted and the agency submits the items required by R1-6-107, the Council shall file the original and 2 copies of the agency's items; 2 copies of the agency receipt; and 1 copy of materials incorporated by reference with the Office of the Secretary of State. The Council shall include a written notice signed by the Chair specifying the Sections approved and the date of Council approval.
- B.** If the Council approves a preamble, table of contents for the rule, rule, economic, small business, and consumer impact statement, or concise explanatory statement subject to the agency making changes as directed by the Council, and the agency submits the items required by R1-6-107:
1. The Chair shall verify that each change required by the Council was made and file the items with the Office of the Secretary of State as prescribed in subsection (A).
 2. If an agency submits a revised preamble, table of contents for the rule, rule, economic, small business, and consumer impact statement, or concise explanatory statement that does not contain the exact words approved by the Council, the Chair shall notify the agency and require that the items be submitted as approved or schedule the matter for reconsideration by the Council.
- C.** Except as specified in subsection (B), an agency shall not make any change to a preamble, table of contents for the rule, rule, economic, small business, and consumer impact statement, concise explanatory statement, or materials incorporated by reference after Council approval.
- D.** If the Council is not able to file an agency's approved rule with the Office of the Secretary of State on the day that the agency submits it, the Council office shall inform the agency of the filing date.

R1-6-109. Returned Rules

The Council may vote to return a preamble, table of contents for the rule, rule, economic, small business, and consumer impact statement, or concise explanatory statement under A.R.S. § 41-1052(B), after identifying the manner in which the returned rule-package item does not meet the standards at A.R.S. § 41-1052(C) and (D).

1. The Council may schedule a date for resubmission in consultation with the agency representative.
2. An agency resubmitting a preamble, table of contents for the rule, rule, economic, small business, and consumer impact statement, or concise explanatory statement to the Council shall:
 - a. Identify all changes made in response to the Council's explanation for its return of the rule package item.
 - b. Explain in writing how the changes ensure that the rule package meets the standards at

- A.R.S. § 41-1052(C) and (D); and
- c. Show that the resubmitted rule is not substantially different from the proposed rule under the standards in A.R.S. § 41-1025.
 3. In accordance with R1-6-110, an agency representative shall appear at the Council meeting at which the resubmitted preamble, table of contents for the rule, rule, economic, small business, and consumer impact statement, or concise explanatory statement is to be considered.

R1-6-110. Appearance by the Agency

- A. A representative of an agency shall appear at the Council meeting at which the agency rule or 5-year-review report is to be considered to respond to questions and comments by the Council.
- B. If an agency representative fails to appear at the Council meeting at which the agency rule or 5-year-review report is considered, the Council shall allow public comment and:
 1. Approve the rule or report,
 2. Reschedule consideration of the rule or report, or
 3. Return the rule or report to the agency.

R1-6-111. Oral and Written Comments

- A. Under A.R.S. § 41-1052(F), a person may submit written comments to the Council about an agency rulemaking.
- B. A person may make oral comments about an agency rulemaking at a Council meeting.
- C. A person who makes written or oral comments to the Council shall:
 1. Ensure that the comments relate to a rule scheduled on the Council meeting agenda;
 2. Cite the particular provision of A.R.S. § 41-1052(C) or (D) that is the basis for the Council's authority to consider each issue addressed;
 3. State specifically how each issue relates to the particular provision cited;
 4. Tell what other efforts the person made to communicate with the rulemaking agency about each issue;
 5. Submit 1 original and 9 copies of any visual aids or written materials supplementing oral comments;
 6. Submit 1 original and 9 copies of any written comments to the Council office and 1 copy to the rulemaking agency; and
 7. If written comments are submitted to the Council and the rulemaking agency fewer than 6 days before the Council meeting, tell why the person was unable to submit the written comments earlier.
- D. The Chair may limit the time allotted to each speaker and preclude repetitious comments.

R1-6-112. 5-year-review Report

- A. To place a 5-year-review report on the Council agenda, an agency shall deliver to the Council office 2 copies of the 5-year-review report required by A.R.S. § 41-1056. Except as indicated in subsection (B), the agency shall separately discuss and present the following information in the 5-year-review report in the following order for each rule:
 1. General and specific statutes authorizing the rule;
 2. Objective of the rule;
 3. Effectiveness of the rule in achieving the objective;
 4. Consistency of the rule with state and federal statutes and rules, and a listing of the statutes or rules used in determining the consistency;
 5. Agency enforcement policy, including whether the rule is currently being enforced and, if so, whether there are any problems with enforcement;
 6. Agency views regarding current wisdom of the rule;

7. Clarity, conciseness, and understandability of the rule;
 8. Summary of the written criticisms of the rule received by the agency within the 5 years immediately preceding the 5-year-review report, including letters, memoranda, and written allegations made in litigation and administrative proceedings in which the agency was a party that the rule is discriminatory, unfair, unclear, inconsistent with statute, or beyond the authority of the agency to enact, and the conclusion of the litigation and administrative proceedings;
 9. Estimated economic, small business, and consumer impact of the rule as compared to the economic, small business, and consumer impact statement prepared on the last making of the rule or, if no economic, small business, and consumer impact statement was prepared on the last making of the rule, an assessment of the actual economic, small business, and consumer impact of the rule; and
 10. Course of action the agency proposes to take regarding each rule, including the month and year in which the agency anticipates submitting the rules to the Council if the agency determines it is necessary to amend, repeal, or make a rule.
- B.** If the information regarding any of the items listed in subsection (A) is identical for any group of rules, the agency shall discuss that information in its 5-year-review report only once for the group of rules.
- C.** An agency shall attach the following to each copy of a 5-year-review report:
1. Cover letter, signed by the agency head, that identifies a person to contact for information regarding the report,
 2. Copy of the rules being reviewed, and
 3. Copy of the general and specific authorizing statutes.
- D.** If an economic, small business, and consumer impact statement was prepared on the last making of the rules being reviewed, an agency shall attach 1 copy of the economic, small business, and consumer impact statement to the 5-year-review report.
- E.** After a 5-year-review report is placed on the Council agenda, Council staff shall review the report for compliance with the requirements of A.R.S. § 41-1056 and this Chapter and may suggest changes to the agency. After making any changes, the agency shall submit to the Council office 1 original and 10 copies of the items listed in subsections (A) and (C).
- F.** After a 5-year-review report is placed on the Council agenda, an agency may have the report moved to the agenda of a later meeting by having the agency head send a notice to the Chair that includes the date of the later meeting.

R1-6-113. Rescheduling a 5-year-review Report

To request that a 5-year-review report be rescheduled under A.R.S. § 41-1056(C), an agency head shall submit a letter to the Chair that includes the following information;

1. The Title, Chapter, and Article of the rules for which rescheduling is sought;
2. Whether the rules were initially made or substantially revised within the last 2 years; and
 - a. If substantially revised:
 - i. A description of the revisions,
 - ii. Why the revisions are believed to be substantial, and
 - iii. The date on which the rules were published in the *Register* by the Office of the Secretary of State; or
 - b. If initially made, the date on which the rules were published in the *Register* by the Office of the Secretary of State.

ARTICLE 2. DELEGATION AGREEMENTS

R1-6-201. Appeal of a Delegation Agreement

- A.** Under A.R.S. § 41-1081(F), a person who appeals an agency decision to enter into a delegation agreement shall deliver to the Council office 1 original and 8 copies of a written request signed by the person submitting the appeal and the following:
1. All written objections to the delegation agreement submitted to the delegating agency by the person filing the appeal;
 2. The name and address of each agency and each political subdivision entering into the delegation agreement;
 3. The name, address, and facsimile and telephone numbers of the person filing the appeal;
 4. The name of the person being represented by the person filing the appeal;
 5. The subject matter of the delegation agreement; and
 6. The reasons why the person is objecting to the delegation agreement and filing the appeal.
- B.** An agency whose delegation agreement is being appealed shall deliver to the Council office 1 original and 8 copies of the following:
1. A memorandum that lists the date the delegating agency gave written notice of the decision to enter into the delegation agreement and the dates of all public proceedings regarding the delegation agreement;
 2. The name, address, and facsimile and telephone numbers of each agency and each political subdivision contact person;
 3. The delegation agreement; and
 4. A written summary prepared by the agency, responding to all oral or written comments received by the agency regarding the delegation agreement.
- C.** The Council shall notify the delegating agency of an appeal of a delegation agreement by 5:00 p.m. of the business day following Council notification of the appeal. The agency shall deliver to the Council office the information and documents listed in subsection (B) no later than 5:00 p.m. on the 3rd business day following notification of the appeal by the Council.
- D.** After 14 calendar days after an appeal is filed with the Council, the Chair shall send written notice to the person filing the appeal and the delegating agency stating whether 3 Council members have requested that the appeal be considered at a Council meeting. If an appeal is to be considered at a Council meeting, the notice shall include the date and time of the Council meeting.
- E.** After the Council approves or disapproves a delegation agreement that has been appealed, the Chair shall send a written letter to the delegating agency and person filing the appeal that specifies the reasons for the approval or disapproval and the date of Council action.

R1-6-202. Repealed

Historical Note

Adopted effective March 16, 1988 (Supp. 88-1). Repealed effective May 25, 1995 (Supp. 95-2).

R1-6-203. Repealed

Historical Note

Adopted effective March 16, 1988 (Supp. 88-1). Repealed effective May 25, 1995 (Supp. 95-2).

R1-6-204. Repealed

Historical Note

Adopted effective March 16, 1988 (Supp. 88-1). Repealed effective May 25, 1995 (Supp. 95-2).

R1-6-205. Repealed

Historical Note

Adopted effective March 16, 1988 (Supp. 88-1). Repealed effective May 25, 1995 (Supp. 95-2).

R1-6-206. Repealed

ARTICLE 3. AGENCY PRACTICE OR SUBSTANTIVE POLICY STATEMENTS

R1-6-301. Petition for Council Rulemaking or Review

- A.** A person may petition the Council under A.R.S. § 41-1033(A) for a:
1. Rulemaking action relating to a Council rule, including making a new rule or amending or repealing an existing rule; or
 2. Review of an existing Council practice or substantive policy statement alleged to constitute a rule.
- B.** To act under A.R.S. § 41-1033(A) and this Section, a person shall submit to the Council office a written petition including the following information:
1. Name, address, telephone number, and facsimile number, if any, of the person submitting the petition;
 2. Name of any person represented by the person submitting the petition;
 3. If requesting a rulemaking action:
 - a. Statement of the rulemaking action sought, including the A.A.C. citation of all existing rules, and the specific language of a new rule or rule amendment; and
 - b. Reasons for the rulemaking action, including an explanation of why an existing rule is inadequate, unreasonable, unduly burdensome, or unlawful.
 4. If requesting a review of an existing practice or substantive policy statement:
 - a. Subject matter of the existing practice or substantive policy statement, and
 - b. Reasons why the existing practice or substantive policy statement constitutes a rule.
 5. Dated signature of the person submitting the petition.
- C.** A person may submit supporting information with a petition, including:
1. Statistical data; and
 2. A list of other persons likely to be affected by the rulemaking action or the review, with an explanation of the likely effects.
- D.** The Council shall send the person submitting a petition a written response within 60 calendar days of the date the Council receives the petition.

R1-6-302. Appeal of an Existing Agency Practice or Substantive Policy Statement

- A.** A person appealing an agency's final decision regarding a petition for review of an existing agency practice or substantive policy statement filed under A.R.S. § 41-1033(B) shall deliver to the Council office 1 original and 9 copies of the following:
1. A written request signed by the person submitting the appeal that includes the following:
 - a. Name of the agency upon which the appeal is taken;
 - b. Name, address, telephone number, and facsimile number, if any, of the person filing the appeal;
 - c. Name of the person being represented by the person filing the appeal;
 - d. Subject matter of the existing agency practice or substantive policy statement being appealed; and
 - e. Reasons why the existing agency practice or substantive policy statement constitutes a rule.
 2. The petition requesting a review of the agency's existing practice or substantive policy statement; and
 3. The agency's written decision to each petition submitted to the agency requesting a review of the agency's existing practice or substantive policy statement being appealed.
- B.** The Council shall notify the affected agency head of an appeal of an existing agency practice or a substantive policy statement by 5:00 p.m. of the business day following Council receipt of the

appeal. The agency shall deliver to the Council office the information and documents listed in subsection (C) no later than 5:00 p.m. on the 3rd business day following notification by the Council of the appeal.

- C. An agency whose final decision is being appealed shall deliver to the Council office 1 original and 9 copies of the following:
 - 1. A memorandum that includes the following:
 - a. Date the agency gave written notice of its decision under A.R.S. § 41-1033(A);
 - b. Name, address, telephone number, and facsimile number, if any, of each agency contact person; and
 - c. Reasons why the agency believes that the existing agency practice or substantive policy statement does not constitute a rule.
 - 2. The existing agency practice or substantive policy statement being appealed;
 - 3. Each petition filed with the agency requesting a review of the agency's existing practice or substantive policy statement being appealed; and
 - 4. The agency's written decision to each petition submitted to the agency requesting a review of the agency's existing practice or substantive policy statement being appealed.
- D. Within 14 calendar days after an appeal is filed with the Council, the Chair shall send written notice to the person filing the appeal and the affected agency head stating whether 3 Council members have requested that the appeal be considered at a Council meeting. If the appeal is to be considered at a Council meeting, the notice shall include the date and time of the Council meeting.
- E. Within 7 calendar days after the Council decides whether the agency practice or substantive policy statement constitutes a rule, the Chair shall send a letter to the affected agency and the person filing the appeal that specifies the decision and the reasons for and date of the Council decision.

ARTICLE 4. APPEALS OF ECONOMIC, SMALL BUSINESS, AND CONSUMER IMPACT STATEMENTS

R1-6-401. Appeal of an Economic, Small Business, and Consumer Impact Statement

- A. A person appealing an agency's final decision on whether to initiate a rulemaking under A.R.S. § 41-1056.01(D), shall deliver to the Council office 1 original and 9 copies of the following:
 - 1. The written request signed by the person submitting the appeal, citing the rule or rules being appealed and including the following:
 - a. Name of the agency upon which the appeal is taken;
 - b. Name, address, telephone number, and facsimile number, if any, of the person filing the appeal;
 - c. Name of the person being represented by the person filing the appeal;
 - d. How the person filing the appeal is or may be affected by the agency's final decision made under A.R.S. § 41-1056.01(C); and
 - e. Why the person appealing believes either that:
 - i. Under A.R.S. § 41-1056.01(A)(1), the actual economic, small business, or consumer impact significantly exceeded the estimated impact; or
 - ii. Under A.R.S. § 41-1056.01(A)(2), the actual economic, small business, or consumer impact was not estimated on adoption of the rule; and the impact imposes a significant burden on persons subject to the rule.
 - 2. The economic, small business, and consumer impact statement being addressed in the appeal; and
 - 3. The data used by the person appealing to support the reasons listed under subsection (A)(1)(e).

- B.** The Council shall notify the affected agency head of an appeal of a rule and its impact by 5:00 p.m. of the business day following Council receipt of the appeal. The agency shall deliver to the Council office the information and documents listed in subsection (C) no later than 5:00 p.m. on the 3rd business day following notification by the Council of the appeal.
- C.** An agency whose final decision is being appealed shall deliver to the Council office 1 original and 9 copies of the following:
 - 1. A memorandum that includes the following:
 - a. Date of the publication of the agency's final decision under A.R.S. § 41-1056.01(C);
 - b. Name, address, telephone number, and facsimile number, if any, of each agency contact person;
 - c. If appropriate, reasons why the agency believes that:
 - i. The actual economic, small business, and consumer impact did not significantly exceed the estimated economic, small business, and consumer impact; or
 - ii. The actual economic, small business, and consumer impact was estimated on approval of the rule and the impact does not impose a significant burden on persons subject to the rule; and
 - d. Final judgments, if any, issued by a court of competent jurisdiction that are based on whether the contents of the rule's economic, small business, and consumer impact statement were insufficient or inaccurate.
 - 2. The rule being appealed; and
 - 3. The agency's written summary of comments received about the rule and its impact, the agency's response to those comments, and the agency's final decision on whether to make a new rule, or amend or repeal the existing rule.
- D.** Within 14 calendar days after an appeal is filed with the Council, the Chair shall send written notice to the person filing the appeal and the affected agency head stating whether 3 Council members have requested that the appeal be considered at a Council meeting. If the appeal is to be considered at a Council meeting, the notice shall include the date and time of the Council meeting.
- E.** Within 7 calendar days after the Council decides whether either or both of the provisions in A.R.S. § 41-1056.01(A) are met, the Chair shall send a letter to the affected agency and the person filing the appeal that specifies the decision, the reasons for and date of the Council decision, and the action, if any, required by the agency.